

LIVINGSTON PLANNING BOARD

September 02, 2020

The regular meeting of the Livingston Planning Board was held September 02 2020 and opened at 7:00.

In attendance were Chairman Phil Schmidt, Robert Bellinger, John Ross, Chip Keil, Stephen Thibault, Martin Nayowith and Brian Molinski.

Engineer Michelle Mormile.

Attorney Ted Hilscher.

Absent: Bernie Stickles

A motion to accept the minutes of the August 05 2020 meeting was made by Martin Nayowith and 2nd by Stephen Thibault. All voted AYE. Motion passed unanimously.

Luckless Enterprises LLC (Figment Hudson Valley) and Joyce Collier a Special Use (Inn and Hotel) and Site Plan also a Subdivision application to be able to divide existing parcel into t parcels and the construction of six small rental units together with site parking, onsite parking, onsite sewerage disposal and on site potable water source. Property located Cold Spring Road.

Luckless has asked to be postponed to October in order to have a paperwork in order.

The applicant has agreed to extend the time for the Planning Board to review his application.

Edward Cendroski a Site Plan Review for an Accessory Apartment located 85 Bacon Road. A letter of denial was received from CEO Harkins denying the building permit. Zoning Law Article 4.1 Accessory Apartments are allowed by Site Plan Review in order to provide for affordable housing alternative in a many which does not infringe upon the character of existing neighborhoods. Fee Paid.

The Board reviewed the application.

Advised the applicant he need the following and to return to the October meeting.

1. A letter from the Board of Health.
2. Setbacks indicated on the map.
3. 10 new maps.

Samuel Seder a Site Plan Review for Accessory Apartment located 120 Spring Road. A letter of denial was received from CEO Harkins denying the building permit. Zoning Law Article 4.1 Accessory Apartments are allowed by Site Plan Review in order to provide for affordable housing alternative in a many which does not infringe upon the character of existing neighborhoods. Fee Paid.

Martin Nayowith recused.

The Board reviewed the application.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with a negative declaration was made by Chip Keil and 2nd by Robert Bellinger. All voted AYE. Motion passed.

A motion to approve the Site Plan for an Accessory apartment with the condition of the following approvals, Board of Health and CEO Harkins was made by Robert Bellinger and Stephen Thiebault. All voted AYE. Motion passed.

Martin Nayowith returned.

Patricia Decker/Duane Whittaker, John Tiffany a Lot line Subdivision application. Property located 34 Lynk Road.

The Board reviewed the application.

Lot A Tax ID 171-1-23 13.782 acres minus 10.609 acres leaving 3.173 acres

Lot B Tax ID 171-1-21 1.514 acres added 10.609 acres making 12.123 acres. All lots confirm to Livingston Zoning Laws.

A motion to approve the lot line application as presented was made by chip Keil and 2nd by Brian Molinski. Vote as follows:

Robert Bellinger AYE. Chip Keil AYE. Stephen Thibault AYE.

Martin Nayowith AYE. Brian Molinski AYE. John Ross Nay.

Motion approved.

Deborah D'Arcy a Special Use Permit application build a chicken coop and have chickens at 20 Water Street Road. A letter of denial was received from CEO Harkins denying the building permit. Zoning Law Article 3.2 Schedule of Permitted Uses. Agricultural including animals requires a Special Use Permit in the HDR-2 zone. Adjourn to October.

ELP Livingston Solar LLC. A community solar photovoltaic facility on 3289 Route 9. Submitted a Special Use Application, Site Plan Approval Application and a Subdivision Application. EPL Livingston Solar is leasing a portion of 151.-1-4.200 from Gcard LLC (David Birch) requesting a minor subdivision of the solar projects lease area.

Wendy De Wolf is representing ELP Livingston and gave a presentation on the project.

1. Lot lines have been adjusted so as not to need a variance.
2. New maps have been submitted.
3. Received an authorization from David Birch authorizing ELP Livingston Solar to represent him with a Site Plan, Special Use and Minor Subdivision.
4. Birch will retain ownership of property and lease to ELP.
5. National Grid power lines run thru the property.
6. 20.9% of acreage will be covered.
7. It is Agricultural use now.
8. Need to submit the deed for the Road. Title search for owner.
9. 12 feet between rows of panels
- 10.65,000.00 To remove panels.
- 11.25 year warranty on panels.
- 12.Need to define if all in C-1. Define land use.
- 13.Need review from the Fire Chief.
- 14.\$7,500. Escrow required.
- 15.Update maps and return in October.

Received a letter from CEO Harkins.

1. Have the surveyor pen the lines C-1 and LDR2 zones that no mistakes can be made.
2. Require at least 20 feet between and fences and any part of the solar panels as required as a fire lane for apparatuses to drive around at least the outside of the farm without having to deal with any fences.

Planning Board Engineer Michelle Mormile will be recusing herself as her firm Crawford Associates will be representing ELP Livingston Solar. Attorney Hilscher will assign another Engineer to represent the Planning Board.

There being no further business a motion to adjourn was made by Robert Bellinger and 2nd by Chip Keil.

All present voted AYE. Motion carried.

Next scheduled meeting will be held October 7, 2020 at 7:00.P M.

Meeting closed at 8:07

Respectfully submitted,

Eileen Yandik
Secretary Livingston Planning Board.